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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/941,254
Filing Date: August 27, 2001
Appellant(s): HOCHMUTH ET AL.

Mr. Daniel R. McClure
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/06/2007appealing from the Office action mailed 07/11/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

GROUNDS OF REJECTION NOT ON REVIEW

The following grounds of rejection have not been withdrawn by the examiner, but they are not under review on appeal because they have not been presented for review in the appellant's brief.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks et al. (hereinafter Hendricks) (US 6,675,386 B1) in view of Mou (US 7,068, 596 B1).

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks et al. (hereinafter Hendricks) (US 6, 675, 386 B1) in view of Boe (US 2002/0109975 A1).

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 6, 675, 386	Hendricks et al.	01-2004
US 7, 068, 596	Mou	06-2006
US 2002/0109975 A1	Boe	08-2002
US 2004/0049793 A1	Chou	03-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7-12, 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hendricks et al. (hereinafter Hendricks) (US 6, 675, 386 B1).

Referring to claim 1,

Hendricks teaches an apparatus (Figs. 9A and 9B, element 140) for communicating graphics (col. 3, line 41-55, "In accordance with the present invention, video is collected at a remote site. (The term "video", as used herein, includes stereophonic or monophonic audio signals which may accompany a video signal. Additionally, "video" is used broadly herein to include still images, groups of related still images, animation, graphics, pictures, or other visual data.) The remote video information may be obtained from a video cassette, CD ROMs, television channels, one or more video cameras, or other well known sources. If video cameras are used, they may be connected to a computer so that they are remotely controllable, or they may be oriented such that a perception of control can be created for users. The video may relate to remote sites of interest, such as a pyramid in Egypt, or the images may relate to an educational lecture being conducted at a remote site.") between at least two remotely-located computers (First: Fig. 3A elements 104,134,106; Second: Fig.10, elements 272, 274, 276, 278, 280, 302, 304, 306, 308, 310) across a computer network (Figs. 9A and 9B, element 242, 244, Note: "internet") comprising:

an input for receiving a video signal (Fig. 3A, elements 129, 106, "THE DISCOVERY CHANNEL", The LEARNING CHANNEL") output from a graphics card of a source computer (Fig. 3A, element 104, 134, 106, col. 6, line 64-col. 7, line 12, "FIGS. 3A and 3B add the additional feature of camera control to the previously described

embodiments. As shown in FIG. 3A, a computer 134 is connected to remote camera 104. The computer is able to control a mechanical or electrical device on the camera 104, to alter the camera's orientation (including position and/or angle). Audio and video from the camera 104 passes to the, computer 134. The video may be processed and stored in the computer. Preferably, as shown in FIG. 3B, the computer is connected to multiple remote cameras 104' and 104" so that multiple users may each control a camera. The computer 134 may either contain a compressor or be connected to an external compression unit 136. The video from cameras 104' and 104" is compressed and provided to data communications network 120. This compressed video is subsequently received by web site 140. The remote cameras 104', 104" (FIG. 3B) may be controlled by control signals passed from computer 134 on path 124. The control signals are received by computer 134 from the data communications network 120 over the camera control path 126. The web site 140 provides the control information to the data communications network 120 over path 128. The web site 140 of this example is adapted to pass control signals to cameras 104 and to store video images in a digital storage means 132. The web site provides a number of streamed video outputs 116 as in the other examples." **Note:** Source computers, such as element 104, 134 and 106 are anticipated to have graphic cards as they have video signal acquiring and transmitting capabilities. Please also note that this inherency is consistent with the evidence provided in the specification related to Fig. 1, element 20.);

a memory for storing discrete units of the video signal (Fig. 3B, element 132, Figs. 9A and 9B, element 258, 260, col. 6, line 38-41, "The web site 130 may store the

audio and video received over data communication network 120 in digital storage unit 132 before providing it to the streamed outputs 116.", and line 46-57, "FIG. 3A shows remote sites 102, cameras 104, computer 134, video path 122, 129, control path 124, 126, 128, compressors 108, 114, 118, 136 data communication network 120, web site 140, digital storage means 132, and streamed video 116. As with FIGS. 1 and 2, remote sites 102 are filmed by camera 104. As with FIG. 1, the web site 140 is able to receive video tape 106, compress the audio and video in compression unit 108, and store the compressed audio and video 110. Audio and video from television stations may also be compressed by compression unit 114 and stored or passed as streamed video 116, as in FIG. 1.", Note: The video signal coming from various sources are being stored individually.);

a compression circuit for compressing a plurality of the discrete units into a compressed video signal (Figs. 9A and 9B, elements 108, 114, 270, col. 12, line 54-67, "The digital matrix switch 250 receives all incoming compressed video signals from the receivers 220, 220' and the compressor units 108, 114. The matrix switch 250 also receives compressed video data from database server 256. Under control of the administrative unit 262, the digital matrix switch 250 outputs the input compressed video signals to digital video servers 252, 252', 252", 252'". In this manner, any input signal can be transferred to any video server as directed by the admin unit. Also, stored programming from the database server 256 is routed to the digital matrix switch 250 to be switched as if it were incoming live video. The outputs of the digital matrix switch 250 also connect to the database server 256, so that anything at the inputs, such as

incoming live audio and video, can be stored in the database server 256.", col. 13, line 15-27, "In a preferred embodiment, the matrix switch 270 may contain a processor which joins different frames of video and audio such that each output contains frames for multiple video pictures (including audio). This enables users to receive split screen images of video and select an audio track for playback (see FIG. 14, discussed below). The split-screen images may be formed by using known methods, which may differ depending on the type of compression used. For example, digital images may be decompressed, combined with other decompressed images, and then re-compressed; or the images may be decompressed and converted to analog, combined, and then converted to digital and compressed for transmission." Note: Compression occurs at two different places, first, before storing the discrete units of video signals and, second, before making the signals ready for transmission as desired.);

a network interface circuit coupled to both the compression circuit (Figs. 9A and 9B, elements 108, 114, 270, col. 12, line 54-67, "The digital matrix switch 250 receives all incoming compressed video signals from the receivers 220, 220' and the compressor units 108, 114. The matrix switch 250 also receives compressed video data from database server 256. Under control of the administrative unit 262, the digital matrix switch 250 outputs the input compressed video signals to digital video servers 252, 252', 252", 252'". In this manner, any input signal can be transferred to any video server as directed by the admin unit. Also, stored programming from the database server 256 is routed to the digital matrix switch 250 to be switched as if it were incoming live video. The outputs of the digital matrix switch 250 also connect to the database

server 256, so that anything at the inputs, such as incoming live audio and video, can be stored in the database server 256.", col. 13, line 15-27, "In a preferred embodiment, the matrix switch 270 may contain a processor which joins different frames of video and audio such that each output contains frames for multiple video pictures (including audio). This enables users to receive split screen images of video and select an audio track for playback (see FIG. 14, discussed below). The split-screen images may be formed by using known methods, which may differ depending on the type of compression used. For example, digital images may be decompressed, combined with other decompressed images, and then re-compressed; or the images may be decompressed and converted to analog, combined, and then converted to digital and compressed for transmission." Note: Compression occurs at two different places, first, before storing the discrete units of video signals and, second, before making the signals ready for transmission as desired.) and the computer network (Figs. 9A and 9B, element 242, 244, "The web site 140 is connected to the data communication network 120 by transmission equipment 210 and receive equipment 220. As shown, multiple receivers 220, 220' may be used. Also, as shown, the receivers may have more than one video output. Audio and video signals may also be input to the web server 200 by videocassette (or other suitable recorded media) or simply by feeding in television programming. As with FIGS. 1 and 3, these signals are preferably compressed by compression units 108, 114. On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications

equipment 240 outputs the video streams 116 through a number of input/output ports"), the network interface circuit configured to format (Figs. 9A and 9B, element 242, 244, "The web site 140 is connected to the data communication network 120 by transmission equipment 210 and receive equipment 220. As shown, multiple receivers 220, 220' may be used. Also, as shown, the receivers may have more than one video output. Audio and video signals may also be input to the web server 200 by videocassette (or other suitable recorded media) or simply by feeding in television programming. As with FIGS. 1 and 3, these signals are preferably compressed by compression units 108, 114. On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications equipment 240 outputs the video streams 116 through a number of input/output ports", Note: Input is video signal, output is sent over internet, that is formatted for "IP" transmission.), and communicate the compressed video signal over the computer network to a remote computer (Fig.10, elements 272, 274, 276, 278, 280, 302, 304, 306, 308, 310, col. 12, line 54-67, "The digital matrix switch 250 receives all incoming compressed video signals from the receivers 220, 220' and the compressor units 108, 114. The matrix switch 250 also receives compressed video data from database server 256. Under control of the administrative unit 262, the digital matrix switch 250 outputs the input compressed video signals to digital video servers 252, 252', 252", 252'". In this manner, any input signal can be transferred to any video server as directed by the admin unit. Also, stored programming from the database server 256 is routed to the digital matrix switch 250 to

be switched as if it were incoming live video. The outputs of the digital matrix switch 250 also connect to the database server 256, so that anything at the inputs, such as incoming live audio and video, can be stored in the database server 256."); and

an output (Figs. 9A and 9B, element 240) coupled to the computer network (Figs. 9A and 9B, element 242, 244).

Referring to claim 2,

Hendricks teaches an apparatus (Figs. 9A and 9B, element 140) for communicating graphics (Fig. 3A, elements 129, 106, "THE DISCOVERY CHANNEL", The LEARNING CHANNEL", (col. 3, line 41-55, "In accordance with the present invention, video is collected at a remote site. (The term "video", as used herein, includes stereophonic or monophonic audio signals which may accompany a video signal. Additionally, "video" is used broadly herein to include still images, groups of related still images, animation, graphics, pictures, or other visual data.) The remote video information may be obtained from a video cassette, CD ROMs, television channels, one or more video cameras, or other well known sources. If video cameras are used, they may be connected to a computer so that they are remotely controllable, or they may be oriented such that a perception of control can be created for users. The video may relate to remote sites of interest, such as a pyramid in Egypt, or the images may relate to an educational lecture being conducted at a remote site.") across a computer network (Fig. 3A elements 104,134,106; Fig.10, elements 272, 274, 276, 278, 280, 302, 304, 306, 308, 310, Figs. 9A and 9B, element 242, 244, Note: "internet") comprising:

an input for receiving a video signal (Fig. 3A, elements 129, 106, "THE DISCOVERY CHANNEL", The LEARNING CHANNEL", Fig. 3A, element 104, 134, 106, col. 6, line 64-col. 7, line 12, "FIGS. 3A and 3B add the additional feature of camera control to the previously described embodiments. As shown in FIG. 3A, a computer 134 is connected to remote camera 104. The computer is able to control a mechanical or electrical device on the camera 104, to alter the camera's orientation (including position and/or angle). Audio and video from the camera 104 passes to the, computer 134. The video may be processed and stored in the computer. Preferably, as shown in FIG. 3B, the computer is connected to multiple remote cameras 104' and 104" so that multiple users may each control a camera. The computer 134 may either contain a compressor or be connected to an external compression unit 136. The video from cameras 104' and 104" is compressed and provided to data communications network 120. This compressed video is subsequently received by web site 140. The remote cameras 104', 104" (FIG. 3B) may be controlled by control signals passed from computer 134 on path 124. The control signals are received by computer 134 from the data communications network 120 over the camera control path 126. The web site 140 provides the control information to the data communications network 120 over path 128. The web site 140 of this example is adapted to pass control signals to cameras 104 and to store video images in a digital storage means 132. The web site provides a number of streamed video outputs 116 as in the other examples.".);

a memory for storing discrete units of the video signal (Fig. 3B, element 132, Figs. 9A and 9B, element 258, 260, col. 6, line 38-41, "The web site 130 may store the

audio and video received over data communication network 120 in digital storage unit 132 before providing it to the streamed outputs 116.", and line 46-57, "FIG. 3A shows remote sites 102, cameras 104, computer 134, video path 122, 129, control path 124, 126, 128, compressors 108, 114, 118, 136 data communication network 120, web site 140, digital storage means 132, and streamed video 116. As with FIGS. 1 and 2, remote sites 102 are filmed by camera 104. As with FIG. 1, the web site 140 is able to receive video tape 106, compress the audio and video in compression unit 108, and store the compressed audio and video 110. Audio and video from television stations may also be compressed by compression unit 114 and stored or passed as streamed video 116, as in FIG. 1.", Note: The video signal coming from various sources are being stored individually.);

a compression circuit for compressing a plurality of the discrete units into a compressed video signal (Figs. 9A and 9B, elements 108, 114, 270, col. 12, line 54-67, "The digital matrix switch 250 receives all incoming compressed video signals from the receivers 220, 220' and the compressor units 108, 114. The matrix switch 250 also receives compressed video data from database server 256. Under control of the administrative unit 262, the digital matrix switch 250 outputs the input compressed video signals to digital video servers 252, 252', 252", 252'". In this manner, any input signal can be transferred to any video server as directed by the admin unit. Also, stored programming from the database server 256 is routed to the digital matrix switch 250 to be switched as if it were incoming live video. The outputs of the digital matrix switch 250 also connect to the database server 256, so that anything at the inputs, such as

incoming live audio and video, can be stored in the database server 256.", col. 13, line 15-27, "In a preferred embodiment, the matrix switch 270 may contain a processor which joins different frames of video and audio such that each output contains frames for multiple video pictures (including audio). This enables users to receive split screen images of video and select an audio track for playback (see FIG. 14, discussed below). The split-screen images may be formed by using known methods, which may differ depending on the type of compression used. For example, digital images may be decompressed, combined with other decompressed images, and then re-compressed; or the images may be decompressed and converted to analog, combined, and then converted to digital and compressed for transmission." Compression occurs at two different places, first, before storing the discrete units of video signals and, second, before making the signals ready for transmission as desired.);

a network interface circuit coupled to both the compression circuit (Figs. 9A and 9B, elements 108, 114, 270, col. 12, line 54-67, "The digital matrix switch 250 receives all incoming compressed video signals from the receivers 220, 220' and the compressor units 108, 114. The matrix switch 250 also receives compressed video data from database server 256. Under control of the administrative unit 262, the digital matrix switch 250 outputs the input compressed video signals to digital video servers 252, 252', 252", 252'". In this manner, any input signal can be transferred to any video server as directed by the admin unit. Also, stored programming from the database server 256 is routed to the digital matrix switch 250 to be switched as if it were incoming live video. The outputs of the digital matrix switch 250 also connect to the database

server 256, so that anything at the inputs, such as incoming live audio and video, can be stored in the database server 256.", col. 13, line 15-27, "In a preferred embodiment, the matrix switch 270 may contain a processor which joins different frames of video and audio such that each output contains frames for multiple video pictures (including audio). This enables users to receive split screen images of video and select an audio track for playback (see FIG. 14, discussed below). The split-screen images may be formed by using known methods, which may differ depending on the type of compression used. For example, digital images may be decompressed, combined with other decompressed images, and then re-compressed; or the images may be decompressed and converted to analog, combined, and then converted to digital and compressed for transmission." Note: Compression occurs at two different places, first, before storing the discrete units of video signals and, second, before making the signals ready for transmission as desired.) and the computer network (Figs. 9A and 9B, element 242, 244, "The web site 140 is connected to the data communication network 120 by transmission equipment 210 and receive equipment 220. As shown, multiple receivers 220, 220' may be used. Also, as shown, the receivers may have more than one video output. Audio and video signals may also be input to the web server 200 by videocassette (or other suitable recorded media) or simply by feeding in television programming. As with FIGS. 1 and 3, these signals are preferably compressed by compression units 108, 114. On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications

equipment 240 outputs the video streams 116 through a number of input/output ports"), the network interface circuit configured to format (Figs. 9A and 9B, element 242, 244, "The web site 140 is connected to the data communication network 120 by transmission equipment 210 and receive equipment 220. As shown, multiple receivers 220, 220' may be used. Also, as shown, the receivers may have more than one video output. Audio and video signals may also be input to the web server 200 by videocassette (or other suitable recorded media) or simply by feeding in television programming. As with FIGS. 1 and 3, these signals are preferably compressed by compression units 108, 114. On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications equipment 240 outputs the video streams 116 through a number of input/output ports", Note: Input is video signal, output is sent over internet, that is formatted for "IP" transmission.), and communicate the compressed video signal over the computer network to a remote computer (Fig.10, elements 272, 274, 276, 278, 280, 302, 304, 306, 308, 310, col. 12, line 54-67, "The digital matrix switch 250 receives all incoming compressed video signals from the receivers 220, 220' and the compressor units 108, 114. The matrix switch 250 also receives compressed video data from database server 256. Under control of the administrative unit 262, the digital matrix switch 250 outputs the input compressed video signals to digital video servers 252, 252', 252", 252'". In this manner, any input signal can be transferred to any video server as directed by the admin unit. Also, stored programming from the database server 256 is routed to the digital matrix switch 250 to

be switched as if it were incoming live video. The outputs of the digital matrix switch 250 also connect to the database server 256, so that anything at the inputs, such as incoming live audio and video, can be stored in the database server 256.");

Referring to claim 3,

Hendricks teaches the apparatus of claim 2, wherein the video signal is in compliance with a Digital Visual Interface (DVI) standard.(col. 3, line 41-55, "In accordance with the present invention, video is collected at a remote site. (The term "video", as used herein, includes stereophonic or monophonic audio signals which may accompany a video signal. Additionally, "video" is used broadly herein to include still images, groups of related still images, animation, graphics, pictures, or other visual data.) The remote video information may be obtained from a video cassette, CD ROMs, television channels, one or more video cameras, or other well known sources. If video cameras are used, they may be connected to a computer so that they are remotely controllable, or they may be oriented such that a perception of control can be created for users. The video may relate to remote sites of interest, such as a pyramid in Egypt, or the images may relate to an educational lecture being conducted at a remote site.")

Referring to claim 4

Hendricks teaches the apparatus of claim 2, wherein the video signal is an analog video signal. (col. 3, line 41-55, "In accordance with the present invention, video is collected at a remote site. (The term "video", as used herein, includes stereophonic or monophonic audio signals which may accompany a video signal. Additionally, "video" is used broadly herein to include still images, groups of related still images,

animation, graphics, pictures, or other visual data.) The remote video information may be obtained from a video cassette, CD ROMs, television channels, one or more video cameras, or other well known sources. If video cameras are used, they may be connected to a computer so that they are remotely controllable, or they may be oriented such that a perception of control can be created for users. The video may relate to remote sites of interest, such as a pyramid in Egypt, or the images may relate to an educational lecture being conducted at a remote site.")

Referring to claim 5,

Hendricks teaches the apparatus of claim 2, further comprising a circuit for converting an analog video signal into a digital video signal. (col. 13, line 15-27, "In a preferred embodiment, the matrix switch 270 may contain a processor which joins different frames of video and audio such that each output contains frames for multiple video pictures (including audio). This enables users to receive split screen images of video and select an audio track for playback (see FIG. 14, discussed below). The split-screen images may be formed by using known methods, which may differ depending on the type of compression used. For example, digital images may be decompressed, combined with other decompressed images, and then re-compressed; or the images may be decompressed and converted to analog, combined, and then converted to digital and compressed for transmission.", additionally also col. 15, line 28-34)

Referring to claim 7,

Hendricks teaches the apparatus of claim 2, wherein the computer network comprises a wide area network (WAN). (Figs. 9A and 9B, elements 242, "Internet"))

Referring to claim 8,

Hendricks teaches the apparatus of claim 2, wherein the network interface circuit is configured to format the compressed video signal into a plurality of Internet Protocol (IP) packets that are communicated over the computer network to the remote computer. (Figs. 9A and 9B, element 242, 244, "The web site 140 is connected to the data communication network 120 by transmission equipment 210 and receive equipment 220. As shown, multiple receivers 220, 220' may be used. Also, as shown, the receivers may have more than one video output. Audio and video signals may also be input to the web server 200 by videocassette (or other suitable recorded media) or simply by feeding in television programming. As with FIGS. 1 and 3, these signals are preferably compressed by compression units 108, 114. On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications equipment 240 outputs the video streams 116 through a number of input/output ports"), the network interface circuit configured to format (Figs. 9A and 9B, element 242, 244, "The web site 140 is connected to the data communication network 120 by transmission equipment 210 and receive equipment 220. As shown, multiple receivers 220, 220' may be used. Also, as shown, the receivers may have more than one video output. Audio and video signals may also be input to the web server 200 by videocassette (or other suitable recorded media) or simply by feeding in television programming. As with FIGS. 1 and 3, these signals are preferably compressed by compression units 108, 114. On the opposite side, the web server 200

is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications equipment 240 outputs the video streams 116 through a number of input/output ports", and Figs. 9A and 9B, elements 108, 114, 270, col. 12, line 54-67, "The digital matrix switch 250 receives all incoming compressed video signals from the receivers 220, 220' and the compressor units 108, 114. The matrix switch 250 also receives compressed video data from database server 256. Under control of the administrative unit 262, the digital matrix switch 250 outputs the input compressed video signals to digital video servers 252, 252', 252", 252'". In this manner, any input signal can be transferred to any video server as directed by the admin unit. Also, stored programming from the database server 256 is routed to the digital matrix switch 250 to be switched as if it were incoming live video. The outputs of the digital matrix switch 250 also connect to the database server 256, so that anything at the inputs, such as incoming live audio and video, can be stored in the database server 256.", col. 13, line 15-27, "In a preferred embodiment, the matrix switch 270 may contain a processor which joins different frames of video and audio such that each output contains frames for multiple video pictures (including audio). This enables users to receive split screen images of video and select an audio track for playback (see FIG. 14, discussed below). The split-screen images may be formed by using known methods, which may differ depending on the type of compression used. For example, digital images may be decompressed, combined with other decompressed images, and then re-compressed; or the images may be decompressed and converted to analog, combined, and then

converted to digital and compressed for transmission." Note: Compression occurs at two different places, first, before storing the discrete units of video signals and, second, before making the signals ready for transmission as desired. Input is video signal, output is sent over internet, that is formatted for "IP" transmission.),

Referring to claim 9,

Hendricks teaches the apparatus of claim 2, further comprising a second input for receiving a second video signal. (Figs. 3A and 3B, elements 104s, 122s, 106 and 114)

Referring to claim 10,

Hendricks teaches the apparatus of claim 9, wherein the compression circuit is further configured to separately compress a plurality of discrete units for each of the video signals.(Figs. 3A and 3B, elements 118, 136, 108, 114 and Figs. 9A and 9B, elements 108, 114, col. 13, line 15-27, as explained above in claim 1 and 2)

Referring to claim 11,

Hendricks teaches the apparatus of claim 2, wherein the network interface circuit is configured to format and communicate separately compressed video signals to different remote computers, such that a first remote computer receives a first compressed video signal and a second remote computer receives a second compressed video signal. (Fig. 10, elements 302 (a first remote computer receives a first compressed video signal), element 304 (a second remote computer receives a second compressed video signal), col. 15, line 46- col. 16, line 6, "(68) FIG. 10 shows how the users are connected to the web site, and shows an example of a

communications network 125 (FIG. 8B) in detail. The connections shown in FIG. 10 apply to the web sites of the previous figures, including the web site 112 (FIG. 1), 130 (FIG. 2) and 140 (FIGS. 3 and 9). FIG. 10 shows a server platform 200, the internet 242, two direct connection 244, two traditional internet hosts 272, 274, two cable internet hosts 276, 278, a satellite-based internet host 280, a telephone dialup 282, an ISDN channel 284, a cable plant 286, 288, a satellite system 290 and a plurality of connected user terminals 302, 304, 306, 308, 310. In operation, the web site 112, 130, 140 may communicate over the internet 242 to a number of different systems. These systems include a traditional internet host 272, 274 and a cable headend internet host 276. The traditional internet host 272, 274 may be connected via a telephone line 282 or an ISDN channel 284 to a plurality of remote user terminals 302, 304, respectively. The cable internet host 276 may be connected via a cable plant 286 to a remote user 306. Alternatively, the web site is connected via a direct connection 244 to a cable headend internet host 278 or satellite-based internet host 280. The cable headend internet host 278 communicates to a cable plant 288 and a remote user terminal 308. The satellite-based internet host 280 communicates via a satellite 290 to a user terminal 310. These direct connections 244 enable a higher data rate and use a high speed cable modem. It is advantageous that the communications equipment 240 (FIG. 9) enables communications with any type of user terminal no matter what the data rate or system. Of course, user terminals with higher data rates will receive higher quality audio and video images.")

Referring to claim 12,

The apparatus of claim 2, further comprising a plurality of network interface circuits (Fig. 10, element "WORLD WATCH LIVE WEB SITE" ELEMENTS 112, 130, 140), each network interface circuit being coupled to both a compression circuit (col. 15, line 46-51, "FIG. 10 shows how the users are connected to the web site, and shows an example of a communications network 125 (FIG. 8B) in detail. The connections shown in FIG. 10 apply to the web sites of the previous figures, including the web site 112 (FIG. 1), 130 (FIG. 2) and 140 (FIGS. 3 and 9)." Note: Please also note that Figs. 9A and 9B also have element 140 incorporating element 200.)and the computer network, each network interface circuit being configured to format and communicate the compressed video signal over the computer network to a remote computer (col. 15, line 51-57, FIG. 10 shows a server platform 200, the internet 242, two direct connection 244, two traditional internet hosts 272, 274, two cable internet hosts 276, 278, a satellite-based internet host 280, a telephone dialup 282, an ISDN channel 284, a cable plant 286, 288, a satellite system 290 and a plurality of connected user terminals 302, 304, 306, 308, 310. ")

Referring to claim 19,

Hendricks teaches a method (Figs. 9A and 9B, element 140) for communicating graphics (Fig. 3A, elements 129, 106, "THE DISCOVERY CHANNEL", The LEARNING CHANNEL", (col. 3, line 41-55, "In accordance with the present invention, video is collected at a remote site. (The term "video", as used herein, includes stereophonic or monophonic audio signals which may accompany a video signal. Additionally, "video" is used broadly herein to include still images, groups of related still images, animation,

graphics, pictures, or other visual data.) The remote video information may be obtained from a video cassette, CD ROMs, television channels, one or more video cameras, or other well known sources. If video cameras are used, they may be connected to a computer so that they are remotely controllable, or they may be oriented such that a perception of control can be created for users. The video may relate to remote sites of interest, such as a pyramid in Egypt, or the images may relate to an educational lecture being conducted at a remote site.") across a computer network (Fig. 3A elements 104,134,106; Fig.10, elements 272, 274, 276, 278, 280, 302, 304, 306, 308, 310, Figs. 9A and 9B, element 242, 244, Note: "internet") comprising:

receiving a video signal (Fig. 3A, elements 129, 106, "THE DISCOVERY CHANNEL", The LEARNING CHANNEL") from a graphics card of a source computer (Fig. 3A, element 104, 134, 106, col. 6, line 64-col. 7, line 12, "FIGS. 3A and 3B add the additional feature of camera control to the previously described embodiments. As shown in FIG. 3A, a computer 134 is connected to remote camera 104. The computer is able to control a mechanical or electrical device on the camera 104, to alter the camera's orientation (including position and/or angle). Audio and video from the camera 104 passes to the, computer 134. The video may be processed and stored in the computer. Preferably, as shown in FIG. 3B, the computer is connected to multiple remote cameras 104' and 104" so that multiple users may each control a camera. The computer 134 may either contain a compressor or be connected to an external compression unit 136. The video from cameras 104' and 104" is compressed and provided to data communications network 120. This compressed video is subsequently

received by web site 140. The remote cameras 104', 104" (FIG. 3B) may be controlled by control signals passed from computer 134 on path 124. The control signals are received by computer 134 from the data communications network 120 over the camera control path 126. The web site 140 provides the control information to the data communications network 120 over path 128. The web site 140 of this example is adapted to pass control signals to cameras 104 and to store video images in a digital storage means 132. The web site provides a number of streamed video outputs 116 as in the other examples." Note: Source computers, such as element 104, 134 and 106 are anticipated to have graphic cards as they have video signal acquiring and transmitting capabilities. Please also note that this inherency is consistent with the evidence provided in the specification related to Fig. 1, element 20.) ;);

converting the video signal into a format (Figs. 9A and 9B, elements 108, 114, 270, col. 12, line 54-67, "The digital matrix switch 250 receives all incoming compressed video signals from the receivers 220, 220' and the compressor units 108, 114. The matrix switch 250 also receives compressed video data from database server 256. Under control of the administrative unit 262, the digital matrix switch 250 outputs the input compressed video signals to digital video servers 252, 252', 252", 252'". In this manner, any input signal can be transferred to any video server as directed by the admin unit. Also, stored programming from the database server 256 is routed to the digital matrix switch 250 to be switched as if it were incoming live video. The outputs of the digital matrix switch 250 also connect to the database server 256, so that anything at the inputs, such as incoming live audio and video, can be stored in the database

server 256.", col. 13, line 15-27, "In a preferred embodiment, the matrix switch 270 may contain a processor which joins different frames of video and audio such that each output contains frames for multiple video pictures (including audio). This enables users to receive split screen images of video and select an audio track for playback (see FIG. 14, discussed below). The split-screen images may be formed by using known methods, which may differ depending on the type of compression used. For example, digital images may be decompressed, combined with other decompressed images, and then re-compressed; or the images may be decompressed and converted to analog, combined, and then converted to digital and compressed for transmission." Note: Compression occurs at two different places, first, before storing the discrete units of video signals and, second, before making the signals ready for transmission as desired. , Figs. 9A and 9B, element 242, 244, "The web site 140 is connected to the data communication network 120 by transmission equipment 210 and receive equipment 220. As shown, multiple receivers 220, 220' may be used. Also, as shown, the receivers may have more than one video output. Audio and video signals may also be input to the web server 200 by videocassette (or other suitable recorded media) or simply by feeding in television programming. As with FIGS. 1 and 3, these signals are preferably compressed by compression units 108, 114. On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications equipment 240 outputs the video streams 116 through a number of input/output ports"), suitable for communication over a computer network (Figs. 9A

and 9B, element 242, 244, "The web site 140 is connected to the data communication network 120 by transmission equipment 210 and receive equipment 220. As shown, multiple receivers 220, 220' may be used. Also, as shown, the receivers may have more than one video output. Audio and video signals may also be input to the web server 200 by videocassette (or other suitable recorded media) or simply by feeding in television programming. As with FIGS. 1 and 3, these signals are preferably compressed by compression units 108, 114. On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications equipment 240 outputs the video streams 116 through a number of input/output ports", Note: Input is video signal, output is sent over internet, that is formatted for "IP" transmission.); and communicating the converted video signal across the computer network to a remote computer. (Fig.10, elements 272, 274, 276, 278, 280, 302, 304, 306, 308, 310)

Referring to claim 20,

Hendricks teaches the method of claim 19, wherein the step of converting comprises forming a plurality of Internet Protocol (IP) packets collectively embodying the video signal. (Figs. 9A and 9B, element 242, 244, "The web site 140 is connected to the data communication network 120 by transmission equipment 210 and receive equipment 220. As shown, multiple receivers 220, 220' may be used. Also, as shown, the receivers may have more than one video output. Audio and video signals may also be input to the web server 200 by videocassette (or other suitable recorded media) or

simply by feeding in television programming. As with FIGS. 1 and 3, these signals are preferably compressed by compression units 108, 114. On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications equipment 240 outputs the video streams 116 through a number of input/output ports"), the network interface circuit configured to format (Figs. 9A and 9B, element 242, 244, "The web site 140 is connected to the data communication network 120 by transmission equipment 210 and receive equipment 220. As shown, multiple receivers 220, 220' may be used. Also, as shown, the receivers may have more than one video output. Audio and video signals may also be input to the web server 200 by videocassette (or other suitable recorded media) or simply by feeding in television programming. As with FIGS. 1 and 3, these signals are preferably compressed by compression units 108, 114. On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications equipment 240 outputs the video streams 116 through a number of input/output ports", and Figs. 9A and 9B, elements 108, 114, 270, col. 12, line 54-67, "The digital matrix switch 250 receives all incoming compressed video signals from the receivers 220, 220' and the compressor units 108, 114. The matrix switch 250 also receives compressed video data from database server 256. Under control of the administrative unit 262, the digital matrix switch 250 outputs the input compressed video signals to digital video servers 252, 252', 252", 252'". In this manner, any input signal

can be transferred to any video server as directed by the admin unit. Also, stored programming from the database server 256 is routed to the digital matrix switch 250 to be switched as if it were incoming live video. The outputs of the digital matrix switch 250 also connect to the database server 256, so that anything at the inputs, such as incoming live audio and video, can be stored in the database server 256.", col. 13, line 15-27, "In a preferred embodiment, the matrix switch 270 may contain a processor which joins different frames of video and audio such that each output contains frames for multiple video pictures (including audio). This enables users to receive split screen images of video and select an audio track for playback (see FIG. 14, discussed below). The split-screen images may be formed by using known methods, which may differ depending on the type of compression used. For example, digital images may be decompressed, combined with other decompressed images, and then re-compressed; or the images may be decompressed and converted to analog, combined, and then converted to digital and compressed for transmission." Note: Compression occurs at two different places, first, before storing the discrete units of video signals and, second, before making the signals ready for transmission as desired. Input is video signal, output is sent over internet, that is formatted for "IP" transmission.).

Claim Rejections - 35 USC §103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the ad to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks et al. (hereinafter Hendricks) (US 6, 675, 386 B1) in view of Mou (US 7, 068, 596 B1)

Referring to claim 6,

Keeping in mind the teachings of Hendricks in claim 2 as stated above, Hendricks fails to teach the apparatus of claim 2, wherein the computer network comprises a local area network (LAN).

Mou teaches at Col. 5, line 48-64, "When a file is transmitted from the central server 112 to a client via the local server 102, the transmission and interactive control of the transmitted data may be performed in a manner to enable real-time streaming and therefore instantaneous access to the data by a requesting client. Alternatively, there may be a small or considerable delay, depending upon the transmission medium that is used. For instance, the transmission medium used to transmit data from the central server 112 to the local server 102, and from the local server 102 to each device 108 may include a traditional transmission medium such as a cable modem connection. In a WAN setting, bandwidth cannot be guaranteed at a sustainable rate to support real-time broad-band video streaming. Thus, it is important to note that the benefit of the local server 102 in a LAN setting is to provide sustainable bandwidth to guarantee uninterrupted real-time video streaming (wherein the computer network comprises a local area network (LAN))".

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of Hendricks and Mou in front of him at the time of invention was made, to implement the function and arrangement, of transmitting the video signals to a local

server such as 102 of Mou because, as taught by Mou, the benefit of a the local server 102 in a LAN setting is to provide sustainable bandwidth to guarantee uninterrupted real-time video streaming.

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks et al. (hereinafter Hendricks) (US 6, 675, 386 B1) in view of Boe (US 2002/0109975 A1)

Referring to claims 13 and 14,

Keeping in mind the teachings of Hendricks as stated in claim 2 above, Hendricks teaches a source computer that supplies the video signal (Figs: 3A and 3B, element 134), however Hendricks fails to teach the apparatus of claim 2, wherein the apparatus comprises a connector for direct connection, wherein the connector comprises signals carrying power signals for powering the apparatus, and the apparatus of claim 13, wherein the connector is an edge connector configured to directly plug into a card slot of a motherboard.

Boe teaches two important concepts, for one at para. [0003], "A typical arrangement for a computer system is to have a backplane circuit board, such as a motherboard, that serves as a platform on which the computer system may be built. The **motherboard** typically has a number of **sockets or slots** into which other circuit boards with components may be plugged to form **electrical** and mechanical connections between the circuit boards and the motherboard. Examples of circuit boards with components that may be plugged into the motherboard include one or more central processing units, main memory cards, **video adapter cards,** video acceleration cards, sound cards,

SCSI controller cards, parallel or serial interface cards, game adapter cards, network cards, and others. Circuit boards with components such as these may plug into a motherboard through connectors along one edge of the circuit board. The edge connectors plug directly into a slot or socket(the connector is an edge connector configured to directly plug into a card slot of a motherboard.). When attached in this manner, the circuit board may be substantially perpendicular to the motherboard." Also, at para. [0033], "A power supply 5 is electrically connected to the second circuit board 2 through a power cable 6 as illustrated in FIG. 4. In other embodiments, power could be supplied through traces in a circuit board connected to a power supply rather than through a power cable.", and as indicated in Fig. 4 and para. [0029} second circuit board is motherboard and First (base) circuit board is upright board plugged into the mother board through edge connector supplying power through traces as indicated in para.[0033]. (connector comprises signals carrying power signals for powering the apparatus, apparatus being the first (base) circuit board is upright board plugged into the mother board).

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of Hendricks and Boe in front of him at the time of invention was made, to implement the function and arrangement, as taught by Boe, of video adapter card receiving the power signal and video from the motherboard as the video adapter card having the edge connector directly plugged into the motherboard (the connector is an edge connector configured to directly plug into a card slot of a motherboard and connector comprises signals carrying power signals for powering the apparatus) as

Hendricks has the personal computer as a source of video signal (Figs. 3 A and 3B, element 134) and a server (Figs. 9A and 9B, element 200) as follows: Boe's teachings makes suggestion and teaches the function and arrangement to one of an ordinary skill in art, to combine the personal computer as a source of video signal (Figs. 3 A and 3B, element 134 with integral compression circuit) into the Hendricks server (Figs. 9A and 9B, element 200) by adding the arrangement and functionality of Personal computer into the server such that the video from different sources as shown by Hendricks can be received directly into the web server rather than receiving through the network 120. This would been obvious because it creates the device providing the flexibility (which can be used as a server or personal computer) that can be used practically anywhere, such as on local area network or on wide area network, in conjunction with various sources of video signal providing devices.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

(10) Response to Argument

Examiner's Summary of Hendricks' teachings and it's direct relevancy to the claim 1 limitations under the Appellant's arguments:

Examiner would like to point out that the Appellant has presented below shown essentially **nine arguments for only three steps of Claim 1**, wherein **Claim 1 subject matter under the arguments contains a fragmental and disassociated apparatus requiring extreme discernment of the claimed subject matter.** Therefore, Examiner would like to provide a summary of Hendricks' teachings relevant to the claimed subject matter along with the subject matter discernment prior to addressing each of the nine arguments individually.

Claim 1 recites in preamble: An apparatus for communicating graphics between at least two remotely-located computers across a computer network comprising:, and then continues reciting further "an input for receiving a video signal output from a graphics card of a source computer;"

Therefore, Examiner discerns that "graphics" is "a video signal" and thereby the "graphic card" is a video card. And since, that graphics is communicated between at least two remotely-located computers across a computer network, "an input for receiving a video signal" is part of "an apparatus" and "a video signal output from a graphics card of a source computer" is **not** part of "an apparatus." And also, whichever network that communicated this "graphics" is "a computer network."

Examiner also, as such, discerns that "a memory for storing discrete units of the video signal;" and "a compression circuit for compressing a plurality of the discrete units into a compressed video signal;" is part of "an apparatus."

Also, **it must be noted that**, the instant Specification/Drawings has nowhere physically depicted "**a graphics card of a source computer**", rather depicted is only "Graphic Source" in Fig. 1, element 20; Fig. 4, elements 20 and 25; and Fig. 6, element 20. Therefore, Examiner discerns that the "graphic card (i.e. video card as indicated above)" is an inherent "**of a source computer.**" As such, Examiner has applied the same embodiment methodology in interpreting the teachings of Hendricks.

With this in mind, Hendricks' Fig. 3B and 9B contains the claimed subject matter as follows:

Fig.3B's element 134 is "a source computer" providing "a video signal output" from" it's inherently anticipated "graphics card." (Examiner has provided explanation as well as an evidentiary prior art for this anticipated inherency below while addressing the arguments.)

Fig. 3B, element 140,"WEB SITE", incorporating Fig. 9B, element 200, "WEB SERVER", is "an apparatus", and Fig. 3B, element 129, "Video" is "an input" to " an apparatus" for receiving ""a video signal output from a graphics card of a source computer" , which is Fig.3B's element 134, providing "a video signal output" from" it's inherently anticipated "graphics card."

Fig. 3B's element 132, "DIGITAL STORAGE" and Fig. 9B's elements 258, "AUDIO &VIDEO STORAGE", and 260, "DATA STORAGE" is "a memory for storing discrete units of the video signal;", and Fig. 9B's element 270, "VIDEO MATRIX SWITCH" is "a compression circuit for compressing a plurality of the discrete units into a compressed video signal;" as indicated at col. 13, line 15-27 and as explained below.

Now in the context of the above discernments, Examiner would like to reveal Hendricks' teachings as follows in response to the Appellant's arguments.

Arguments regarding claim 1 on pages 5-10 of the Appeal Brief:

Appellant's argument:

(1) Simply stated, these elements do not disclose one of the two remotely-located computers of claim 1.

Examiner's response: Appellant identifies this claim 1 preamble in the "SUMMARY OF CLAIMED SUBJECT MATTER" as being the following:

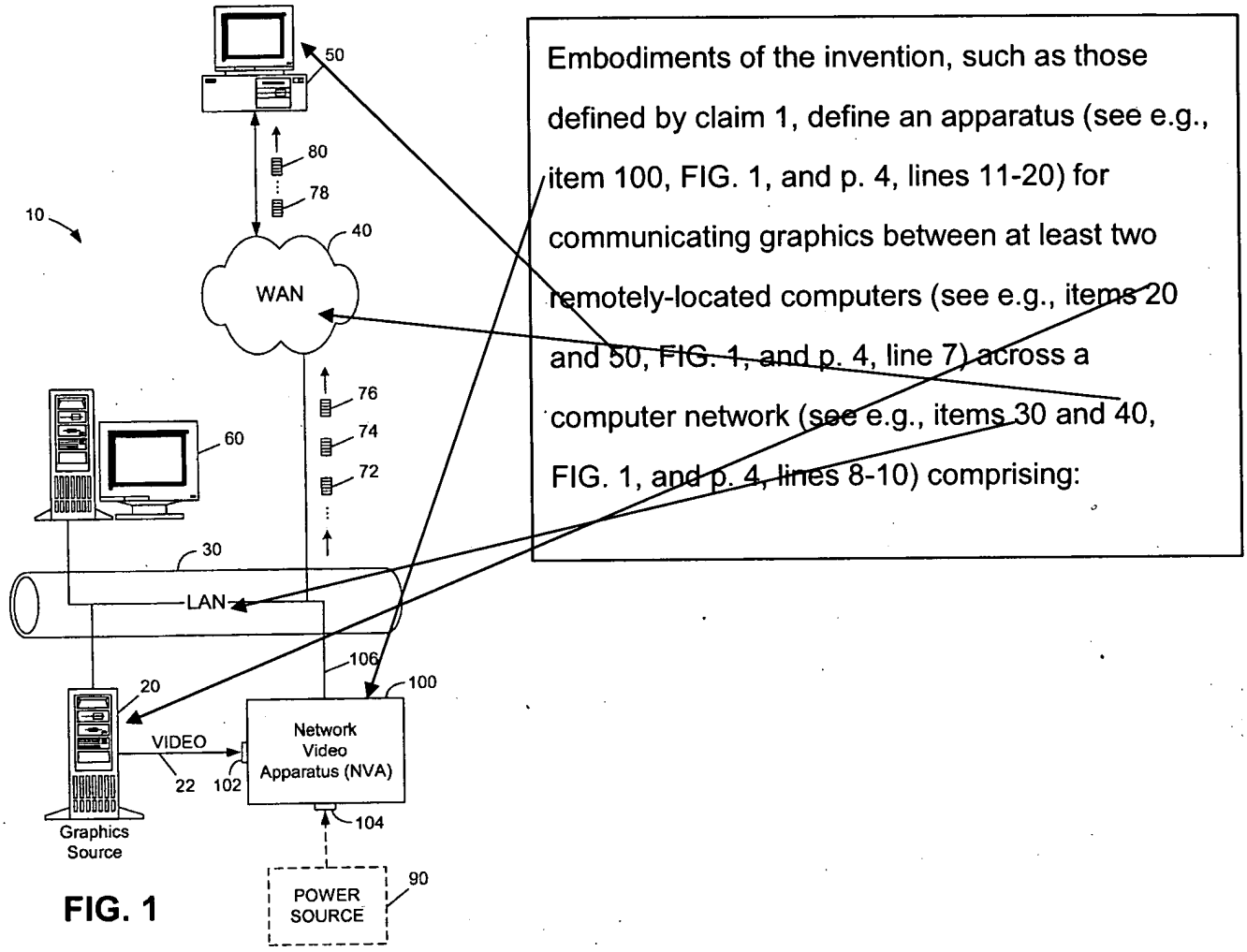
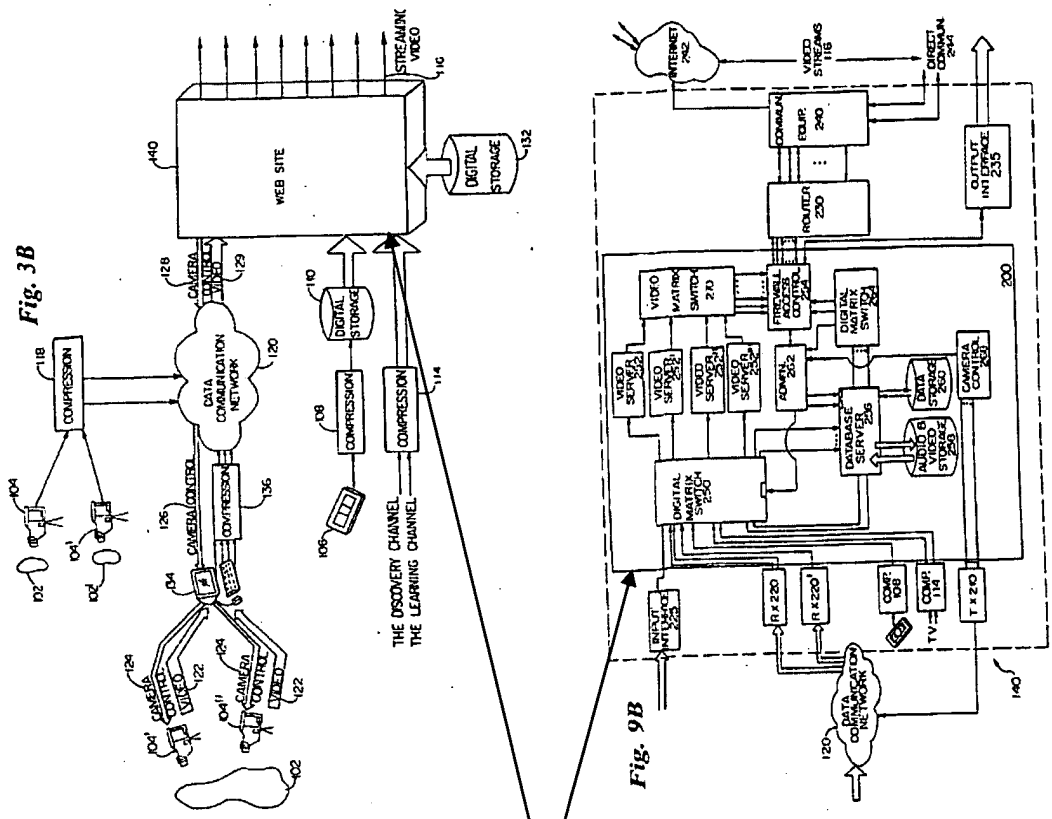


FIG. 1

Appellant has defined item 100 of Fig. 1 as "an Apparatus."

By exactly following the appellant's embodiment methodology, Examiner had defined "an apparatus" being Hendricks' Fig. 3B, element 140 "Web Site" incorporated in the server 200 of Figs.9A and 9B with the same element identification 140, as indicated in col. 12, line 16-31,



"5. Web Site Configuration.

FIGS. 9A and 9B show a more detailed view of the web site, listed as web site 140 (FIG. 3), but which may also correspond to web sites 112 (FIG. 1) and 130 (FIG. 2). The web site 140 is connected to a data communication network 120, the internet 242, and direct connections 244. The web site contains transmission equipment 210, receive equipment 220, 220,' two compression units 108, 114, a web server 200, a router 230, and communication equipment 240. The web server 200 itself contains a digital matrix switch 250, a plurality of digital video servers 252, 252', 252", 252,'" a firewall access control unit 254, a database server 256, an audio and video storage unit

258, a data storage unit 260, an administrative unit 262, a digital matrix switch 264, a camera control unit 268 and a digital video matrix switch 270."

Thus, "web server 200 incorporating the web site 140 of Fig. 3B is "an apparatus."

Hendricks **defines the term "video"** at col. 3, line 41-55, *"In accordance with the present invention, video is collected at a remote site. (The term "video", as used herein, includes stereophonic or monophonic audio* ***signals which may accompany a video signal.*** *Additionally, "video" is used broadly herein to include still images, groups of related still images, animation,* ***graphics,*** *pictures, or other visual data.) The remote video information may be obtained from a video cassette, CD ROMs, television channels, one or more video cameras, or other well known sources. If video cameras are used, they may be connected to a computer so that they are remotely controllable, or they may be oriented such that a perception of control can be created for users. "*

Please note that although claim 1 preamble recites the "graphics", the claim further defines the "graphics", which is "video signals".

Hendricks also teaches at col. 6, line 64-col. 7, line 12, *"FIGS. 3A and 3B add the additional feature of camera control to the previously described embodiments. As shown in FIG. 3A, a computer 134 is connected to remote camera 104. The computer is able to control a mechanical or electrical device on the camera 104, to alter the camera's orientation (including position and/or angle). Audio and video from the camera 104 passes to the, computer 134. The video may be processed and stored in the computer. Preferably, as shown in FIG. 3B, the computer is connected to multiple*

remote cameras 104' and 104" so that multiple users may each control a camera. The computer 134 may either contain a compressor or be connected to an external compression unit 136. The video from cameras 104' and 104" is compressed and provided to data communications network 120. This compressed video is subsequently received by web site 140."

Thus, Fig. 3B, element 134, "Computer" is a source of "a video signal" since "Computer 134 is acquiring, processing, storing, compressing and transmitting" over the network 120" to the "an apparatus "Web Site", element 140 of Fig. 3B incorporated by the "web server 200" of Fig. 9B.

Hendricks further teaches at col. 12, line 40-45, *"On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications equipment 240 outputs the video streams 116 through a number of input/output ports."*

Thus, Fig. 3B, element 134, "Computer" is a source of "a video signal" since "Computer 134 is acquiring, processing, storing, compressing and transmitting" over the network 120" to the "an apparatus" "Web Site", element 140 of Fig. 3B incorporated by the "web server 200" of Fig. 9B, wherein "On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications equipment 240 outputs the video streams 116 through a number of input/output ports."

Thus, Hendricks teaches "An apparatus for communicating graphics between at least two remotely-located computers across a computer network".

Appellant's argument:

(2) "Accordingly, none of these elements can properly disclose the claimed video signal output from the graphics card of a source computer. In addition, element 106 (again, this element was included in the previous Office Action) denotes a video tape, which is not a graphics card of the claimed source computer either.

Examiner's response:

Appellant identifies this claim 1 limitation in the "SUMMARY OF CLAIMED SUBJECT MATTER" as being the following:

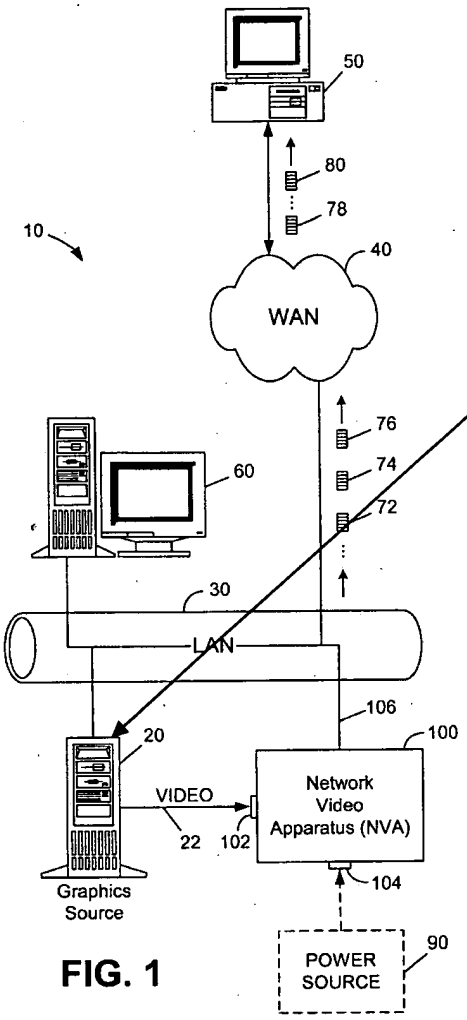


FIG. 1

an input (see e.g., item 110, FIG. 2, and p. 8, lines 3 7) for receiving a video signal (see e.g., item 22, FIG. 2, and p. 7, line 24) output from a graphics card of a source computer (see e.g., item 20, FIG. 1, and p. 4, lines 6-9);

Here, Appellant has defined the "a graphics card of a source computer" as being the inherent part of the "Graphic Source" of Fig. 1, element 20; Fig. 4, elements 20 and 25; and Fig. 6, element 20. which is "source computer 20" as indicated in the instant Specification, page 5, line 24-25, page 6, line 20.

The claim limitation "a graphics card of a source computer" itself is based on an embodiment shown as an inherent limitation in the above noted Figures of the instant Specification/Drawings.

By exactly following the appellant's embodiment methodology, Examiner had defined the "a graphics card of a source computer" as being the inherent part of the "Graphic Source" as follows:

First of all, Hendricks **defines the term "video"** at col. 3, line 41-55, *"In accordance with the present invention, video is collected at a remote site. (The term "video", as used herein, includes stereophonic or monophonic audio* ***signals which may accompany a video signal.*** *Additionally, "video" is used broadly herein to include still images, groups of related still images, animation,* ***graphics,*** *pictures, or other visual data.) The remote video information may be obtained from a video cassette, CD ROMs, television channels, one or more video cameras, or other well known sources. If video cameras are used, they may be connected to a computer so that they are remotely controllable, or they may be oriented such that a perception of control can be created for users. "*

Please note that although claim 1 preamble recites the "graphics", the claim further defines the "graphics", which is "video signals". Therefore, "a graphic card" is "a video card."

Hendricks also teaches at col. 6, line 64-col. 7, line 12, *"FIGS. 3A and 3B add the additional feature of camera control to the previously described embodiments. As shown in FIG. 3A, a computer 134 is connected to remote camera 104. The computer is able to control a mechanical or electrical device on the camera 104, to alter the camera's orientation (including position and/or angle). Audio and video from the camera 104 passes to the, computer 134. The video may be processed and stored in the*

computer. Preferably, as shown in FIG. 3B, the computer is connected to multiple remote cameras 104' and 104" so that multiple users may each control a camera. The computer 134 may either contain a compressor or be connected to an external compression unit 136. The video from cameras 104' and 104" is compressed and provided to data communications network 120. This compressed video is subsequently received by web site 140."

Thus, since Fig. 3B, element 134, "Computer" is a source of "a video signal" and since "Computer 134 is acquiring, processing, storing, compressing and transmitting" the "a video signal" over the network 120 to "an apparatus", "Web Site", element 140 of Fig. 3B incorporated by the "web server 200" of Fig. 9B, the "Computer ", element 134 inherently contains "a graphics card".

Examiner would like to present **the evidentiary prior art,** Chou (US 2004/0049793 A1) with respect to showing the inherency of " a computer" requiring a "graphic card" (video card) .

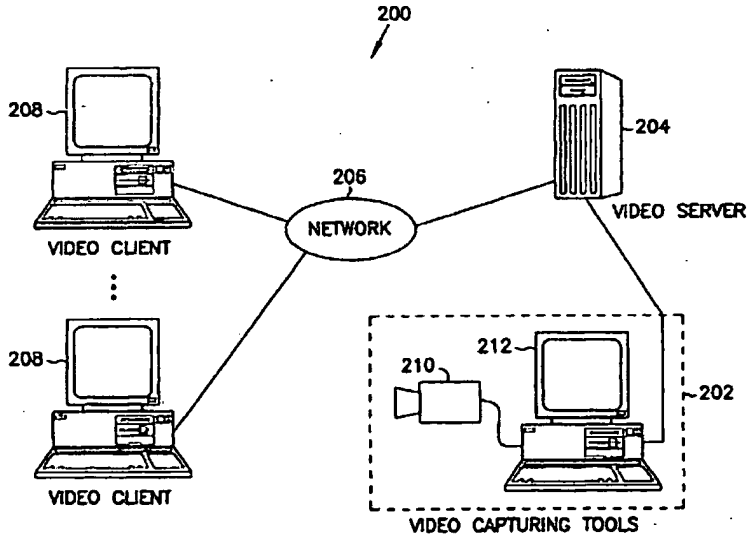


FIG. 2

Chou teaches at para. [0034], "FIG. 2 is a diagram of an example network architecture 200 in which embodiments of the present invention are implemented. The example network architecture 200 comprises video capturing tools 202, a video server 204, a network 206 and one or more video clients 208.

[0035] The video capturing tools 202 comprise any commonly available devices for capturing video and audio data, encoding the data and transferring the encoded data to a computer via a standard interface. The example video capturing tools 202 of FIG. 2 comprise a camera 210 and **a computer 212 having a video capture card, compression software and a mass storage device.** The video capturing tools 202 are coupled to a video server 204 having streaming software and optionally having software tools enabling a user to manage the delivery of the data."

Just as Chou reveals the necessity of the "Video card" for capturing and processing the video from camera, store the video, and transfer video to video server 204, Hendricks' computer 134 is inherently required to have "video card (graphic card)" for capturing and processing the video from camera, store the video, and transferring the video to "Web Site" 140 incorporated by the server 200.

This inherency is the same inherency that is depicted by the instant Specification/drawings as indicated above, as part of the "graphic source, Fig. 1, element 20; Fig. 4, elements 20 and 25; and Fig. 6, element 20.

Appellant's argument:

(3) This description is completely consistent with how a person skilled in the art would interpret the claimed "video signal." In this regard, it should be appreciated that a video signal is not simply any signal that may carry or include video content, but instead is a signal that is dedicated to carrying video content.

Examiner's response:

Hendricks **defines the term "video"** at col. 3, line 41-55, *"In accordance with the present invention, video is collected at a remote site. (The term "video", as used herein, includes stereophonic or monophonic audio* ***signals which may accompany a video signal.*** *Additionally, "video" is used broadly herein to include still images, groups of related still images, animation,* ***graphics,*** *pictures, or other visual data.) The remote video information may be obtained from a video cassette, CD ROMs, television channels, one or more video cameras, or other well known sources.* ***If video cameras are used, they may be connected to a computer so that they are remotely controllable, or they may be oriented such that a perception of control can be created for users.*** *"*

Please note that although claim 1 preamble recites the "graphics", the claim further defines the "graphics", which is "video signals".

Appellant's argument:

(4) "This description is completely consistent with how a person skilled in the art would interpret the claimed "video signal." In this regard, it should be appreciated that a video signal is not simply any signal that may carry or include video content, but instead is a signal that is dedicated to carrying video content. Support for this interpretation was

provided in attachments to Applicants' previous response, which are also attached hereto at Appendix B."

Examiner's response:

As indicated above, Claim 1 subject matter under arguments contains a fragmental and disassociated apparatus requiring extreme discernment of the claimed subject matter.

Claim 1 recites in preamble: An apparatus for communicating graphics between at least two remotely-located computers across a computer network comprising:, and then continues reciting further "an input for receiving a video signal output from a graphics card of a source computer;"

Therefore, Examiner discerns that "graphics" is "a video signal."

Hendricks clearly **defines the term "video"** at col. 3, line 41-55, *"In accordance with the present invention, video is collected at a remote site. (The term "video", as used herein, includes stereophonic or monophonic audio* ***signals which may accompany a video signal.*** *Additionally, "video" is used broadly herein to include still images, groups of related still images, animation,* ***graphics,*** *pictures, or other visual data.) The remote video information may be obtained from a video cassette, CD ROMs, television channels, one or more video cameras, or other well known sources. If video cameras are used, they may be connected to a computer so that they are remotely controllable, or they may be oriented such that a perception of control can be created for users. "*

Appellant's argument:

(5) "Significantly, Hendricks fails to teach or disclose "an input" of the camera 104, the controller 134, or the video tape 106 (cited as constituting the claimed computer) "for receiving a ***video signal output from a graphics card of a source*** computer," as expressly recited in claim 1. In advancing this rejection, it appears that the Office Action is not giving any weight or meaning to the claimed phrase "from a graphics card of a source computer." Accordingly, this claimed feature, as properly construed, clearly defines over the generic teachings of Hendricks."

Examiner's response:

Appellant identifies this claim 1 limitation in the "SUMMARY OF CLAIMED SUBJECT MATTER" as being the following:

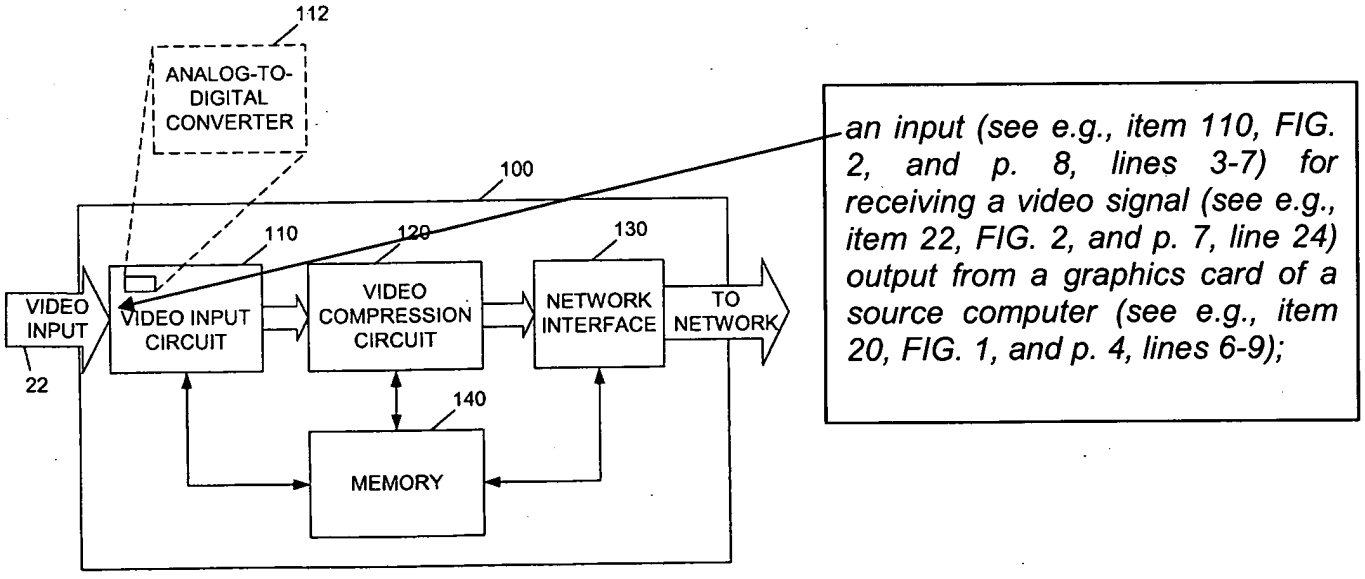


FIG. 2

First of all, **Appellant is misleading** by pointing to Hendricks' failing to teach or disclose "an input" of the camera 104, the controller 134, or the video tape 106 (cited as constituting the claimed computer).

Examiner **had never indicated** "an input" as being "an input" of the camera 104, the controller 134, or the video tape 106 (cited as constituting the claimed computer).

Rather, by following the appellant's embodiment methodology, Examiner had defined "an input" for receiving a video signal output from a graphics card of a source computer as follows:

First of all, Hendricks **defines the term "video"** at col. 3, line 41-55, *"In accordance with the present invention, video is collected at a remote site. (The term "video", as used herein, includes stereophonic or monophonic audio* ***signals which may accompany a video signal.*** *Additionally, "video" is used broadly herein to include still images, groups of related still images, animation,* ***graphics,*** *pictures, or other visual data.) The remote video information may be obtained from a video cassette, CD ROMs, television channels, one or more video cameras, or other well known sources. If video cameras are used, they may be connected to a computer so that they are remotely controllable, or they may be oriented such that a perception of control can be created for users."*

Please note that although claim 1 preamble recites the "graphics", the claim further defines the "graphics", which is "video signals". Therefore, "a graphic card" is "a video card."

Hendricks also teaches at col. 6, line 64-col. 7, line 12, *"FIGS. 3A and 3B add the additional feature of camera control to the previously described embodiments. As shown in FIG. 3A, a computer 134 is connected to remote camera 104. The computer is able to control a mechanical or electrical device on the camera 104, to alter the camera's orientation (including position and/or angle). Audio and video from the camera 104 passes to the, computer 134. The video may be processed and stored in the computer. Preferably, as shown in FIG. 3B, the computer is connected to multiple remote cameras 104' and 104" so that multiple users may each control a camera. The computer 134 may either contain a compressor or be connected to an external compression unit 136. The video from cameras 104' and 104" is compressed and provided to data communications network 120. This compressed video is subsequently received by web site 140."*

Thus, since Fig. 3B, element 134, "Computer" is a source of "a video signal" and since "Computer 134 is acquiring, processing, storing, compressing and transmitting" the "a video signal" over the network 120 to "an apparatus", "Web Site", element 140 of Fig. 3B incorporated by the "web server 200" of Fig. 9B, the "Computer" , element 134 inherently contains "a graphics card".

And, according to Hendricks, " an input", for receiving a video signal output from a graphics card of a source computer, element 134, is element 129 of Fig. 3A or 3B, labeled "Video".

Thus, element 129 of Fig. 3A or 3B, specifically labeling "Video" is "an input " to "an apparatus", i.e. "Web Site", element 140 of Fig. 3B incorporated by

the "web server 200" of Fig. 9B, for receiving a video signal from Fig. 3B, element 134, "Computer" inherently incorporating a graphics card (which is a source of "a video signal" since computer 134 is acquiring, processing, storing, compressing and transmitting) " over the network 120.

Appellant's argument:

"(6) As a separate and independent basis for the patentability of claim 1, Hendricks fails to disclose the claimed "memory for storing discrete units of the video signal."

Examiner's response:

Hendricks teaches "video databases at Fig. 3B, element 132, Figs. 9A and 9B, element 258, 260.

Hendricks teaches at col. 6, line 38-41, *"The web site 130 may store the audio and video received over data communication network 120 in digital storage unit 132 before providing it to the streamed outputs 116.", and line 46-57, "FIG. 3A shows remote sites 102, cameras 104, computer 134, video path 122, 129, control path 124, 126, 128, compressors 108, 114, 118, 136 data communication network 120, web site 140, digital storage means 132, and streamed video 116. As with FIGS. 1 and 2, remote sites 102 are filmed by camera 104. As with FIG. 1, the web site 140 is able to receive video tape 106, compress the audio and video in compression unit 108, and store the compressed audio and video 110. Audio and video from television stations may also be compressed by compression unit 114 and stored or passed as streamed video 116, as in FIG. 1.",*

Please note that the video signal coming from various sources are being stored individually.

This factuality of Hendricks teaches **"a memory for storing discrete units of the video signal."**

Appellant's argument:

"(7) This application of Hendricks simply makes no sense in the context of the claimed embodiments. In this regard, claim 1 recites: "An **apparatus** ... comprising: **an input** for receiving a video signal output from a **graphics** card of a source computer; a memory for storing discrete units of **the** video signal..." That is, both the claimed "input" and the claimed "memory" comprise parts of the apparatus. As noted above, the Office Action cites elements 104 and 134 as constituting or disclosing the claimed "input." If this is the case, however, the digital storage 132 cannot properly constitute part of the same "apparatus," as it is a totally distinct (and separate) element in the system of Hendricks."

Examiner's response:

Examiner had never cited in the Office Action cites elements 104 and 134 as constituting or disclosing the claimed "input." As clearly seen in the rejection shown above, Examiner had cited, "an input for receiving a video signal (Fig. 3A or 3B, elements 129, 106, "THE DISCOVERY CHANNEL", The LEARNING CHANNEL")."

Hendricks also teaches at col. 6, line 64-col. 7, line 12, *"FIGS. 3A and 3B add the additional feature of camera control to the previously described embodiments. As shown in FIG. 3A, a computer 134 is connected to remote camera 104. The computer*

is able to control a mechanical or electrical device on the camera 104, to alter the camera's orientation (including position and/or angle). Audio and video from the camera 104 passes to the, computer 134. The video may be processed and stored in the computer. Preferably, as shown in FIG. 3B, the computer is connected to multiple remote cameras 104' and 104" so that multiple users may each control a camera. The computer 134 may either contain a compressor or be connected to an external compression unit 136. The video from cameras 104' and 104" is compressed and provided to data communications network 120. This compressed video is subsequently received by web site 140."

Thus, since Fig. 3B, element 134, "Computer" is a source of "a video signal" and since "Computer 134 is acquiring, processing, storing, compressing and transmitting" the "a video signal" over the network 120 to "an apparatus", "Web Site", element 140 of Fig. 3B incorporated by the "web server 200" of Fig. 9B, the "Computer", element 134 inherently contains "a graphics card".

And, according to Hendricks, " an input", for receiving a video signal output from a graphics card of a source computer, element 134, is element 129 of Fig. 3A or 3B, labeled "Video".

Hendricks teaches "video databases at Fig. 3B, element 132, Figs. 9A and 9B, element 258, 260.

Hendricks teaches at col. 6, line 38-41, *"The web site 130 may store the audio and video received over data communication network 120 in digital storage unit 132 before providing it to the streamed outputs 116.", and line 46-57, "FIG. 3A shows*

remote sites 102, cameras 104, computer 134, video path 122, 129, control path 124, 126, 128, compressors 108, 114, 118, 136 data communication network 120, web site 140, digital storage means 132, and streamed video 116. As with FIGS. 1 and 2, remote sites 102 are filmed by camera 104. As with FIG. 1, the web site 140 is able to receive video tape 106, compress the audio and video in compression unit 108, and store the compressed audio and video 110. Audio and video from television stations may also be compressed by compression unit 114 and stored or passed as streamed video 116, as in FIG. 1.",

Thus, Hendricks' "an input", **element 129 labeled "Video" of Fig. 3B, and digital storage unit 132 comprise parts of the apparatus.**

Appellant's argument:

(8) In this regard, the claimed apparatus corresponds to the item 100 of FIG. 1 or item 200 of FIG. 4 of the present application. It is single device that comprises the various elements defined in claim 1. To apply the physically separate (and substantially unrelated) elements of the system of FIG. 3B (or 9A and 9B) as constituting the various claimed elements of the "apparatus" of claim 1 constitutes an interpretation of claim 1 that is repugnant to the clear teachings of the present specification.

Examiner's response:

Examiner would like to point out that the appellant is identifying the claim limitations that are physically separate, such as "**a graphics card of a source computer**" in the "SUMMARY OF CLAIMED SUBJECT MATTER" as follows:

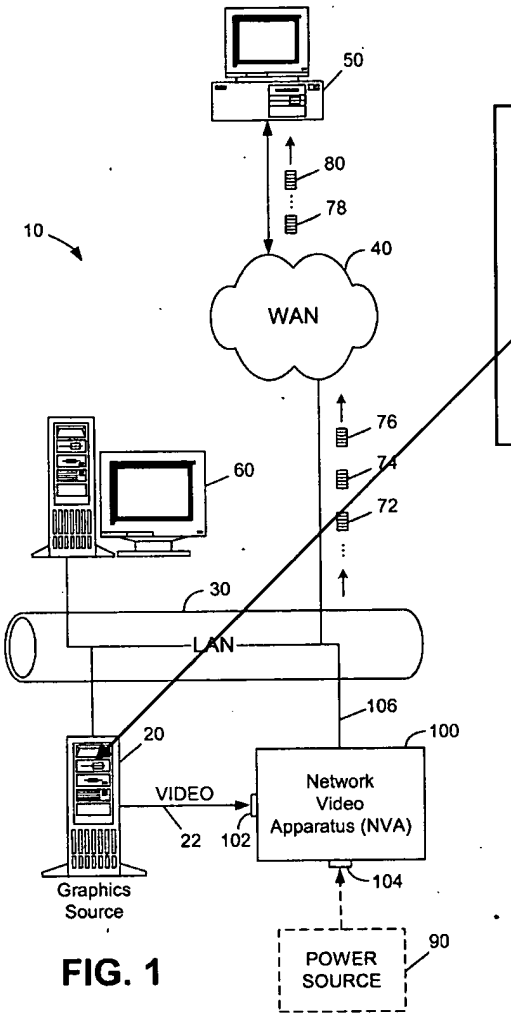
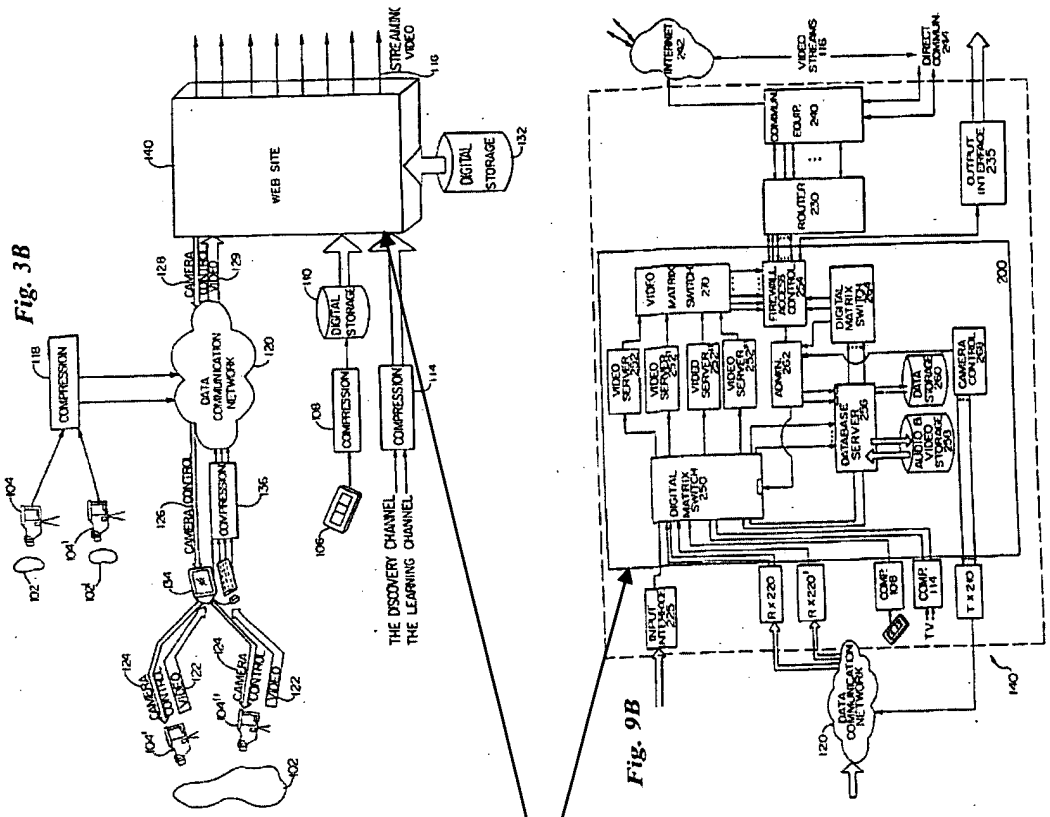


FIG. 1

an input (see e.g., item 110, FIG. 2, and p. 8, lines 3 7) for receiving a video signal (see e.g., item 22, FIG. 2, and p. 7, line 24) output from a graphics card of a source computer (see e.g., item 20, FIG. 1, and p. 4, lines 6-9);

Examiner had defined "an apparatus" being Hendricks' Fig. 3B, element 140 ,"Web Site" incorporated in the server 200 of Fig. 9B with the same element identification 140, as indicated in col. 12, line 16-31,



Hendricks' "an apparatus" of claim 1

"5. Web Site Configuration.

FIGS. 9A and 9B show a more detailed view of the web site, listed as web site 140 (FIG. 3), but which may also correspond to web sites 112 (FIG. 1) and 130 (FIG. 2). The web site 140 is connected to a data communication network 120, the internet 242, and direct connections 244. The web site contains transmission equipment 210, receive equipment 220, 220,' two compression units 108, 114, a web server 200, a router 230, and communication equipment 240. The web server 200 itself contains a digital matrix switch 250, a plurality of digital video servers 252, 252', 252", 252,'" a firewall access control unit 254, a database server 256, an audio and video storage unit

258, a data storage unit 260, an administrative unit 262, a digital matrix switch 264, a camera control unit 268 and a digital video matrix switch 270."

Thus, "web server 200 incorporating the web site 140 of Fig. 3B is "an apparatus."

Hendricks **defines the term "video"** at col. 3, line 41-55, *"In accordance with the present invention, video is collected at a remote site. (The term "video", as used herein, includes stereophonic or monophonic audio* ***signals which may accompany a video signal.*** *Additionally, "video" is used broadly herein to include still images, groups of related still images, animation,* ***graphics,*** *pictures, or other visual data.) The remote video information may be obtained from a video cassette, CD ROMs, television channels, one or more video cameras, or other well known sources.* ***If video cameras are used, they may be connected to a computer so that they are remotely controllable, or they may be oriented such that a perception of control can be created for users.*** *"*

Please note that although claim 1 preamble recites the "graphics", the claim further defines the "graphics", which is "video signals".

Hendricks also teaches at col. 6, line 64-col. 7, line 12, *"FIGS. 3A and 3B add the additional feature of camera control to the previously described embodiments. As shown in FIG. 3A, a computer 134 is connected to remote camera 104. The computer is able to control a mechanical or electrical device on the camera 104, to alter the camera's orientation (including position and/or angle). Audio and video from the camera 104 passes to the, computer 134. The video may be processed and stored in the*

computer. Preferably, as shown in FIG. 3B, the computer is connected to multiple remote cameras 104' and 104" so that multiple users may each control a camera. The computer 134 may either contain a compressor or be connected to an external compression unit 136. The video from cameras 104' and 104" is compressed and provided to data communications network 120. This compressed video is subsequently received by web site 140."

Thus, Fig. 3B, element 134, "Computer" is a source of "a video signal" since "Computer 134 is acquiring, processing, storing, compressing and transmitting" over the network 120" to the "an apparatus "Web Site", element 140 of Fig. 3B incorporated by the "web server 200" of Fig. 9B.

Hendricks further teaches at col. 12, line 40-45, *"On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The communications equipment 240 outputs the video streams 116 through a number of input/output ports."*

Thus, Fig. 3B, element 134, "Computer" is a source of "a video signal" since "Computer 134 is acquiring, processing, storing, compressing and transmitting" over the network 120" to the "an apparatus" "Web Site", element 140 of Fig. 3B incorporated by the "web server 200" of Fig. 9B, wherein "On the opposite side, the web server 200 is connected to remote users by a router 230 and communication equipment 240, which in turn are connected to the internet 242 or directly connected 244 to users. The

communications equipment 240 outputs the video streams 116 through a number of input/output ports."

Thus, Hendricks teaches "An apparatus for communicating graphics between at least two remotely-located computers across a computer network".

Appellant's argument:

(9) Further still, claim 1 specifies that the compression circuit compresses the plurality of "discrete units" which are stored in the memory. The cited compression elements of Hendricks do not do this. For example, the Office Action cites element 108 as constituting the claimed compression circuit. However, element 108 operates on the output of video tape 106. Significantly, it does NOT operate on the output of the digital storage unit 132, which the Office Action has applied as constituting the claimed memory. Therefore, properly interpreting these two claimed elements:

a memory for storing discrete units of the video signal;

a compression circuit for compressing a plurality of the discrete units into a compressed video signal;

it is clear that claim 1 requires the compression circuit to compress the "plurality of discrete units," which are stored in the memory. Assuming that the digital storage component 132 of Hendricks constitutes the claimed memory (as the Office Action has applied it), then the compression element 108 cannot properly apply to the claimed "compression circuit" because it does not operate on the contents of the digital storage, but rather the output of the video tape.

Examiner's response:

Hendricks teaches at col. 6, line 38-41, *"The web site 130 may store the audio and video received over data communication network 120 in digital storage unit 132 before providing it to the streamed outputs 116.", and line 46-57, "FIG. 3A shows remote sites 102, cameras 104, computer 134, video path 122, 129, control path 124, 126, 128, compressors 108, 114, 118, 136 data communication network 120, web site 140, digital storage means 132, and streamed video 116. As with FIGS. 1 and 2, remote sites 102 are filmed by camera 104. As with FIG. 1, the web site 140 is able to receive video tape 106, compress the audio and video in compression unit 108, and store the compressed audio and video 110. Audio and video from television stations may also be compressed by compression unit 114 and stored or passed as streamed video 116, as in FIG. 1.",*

Please note that the video signal coming from various sources are being stored individually.

This factuality of Hendricks teaches **"a memory for storing discrete units of the video signal."**

Hendricks depicts at Figs. 9A and 9B, elements 108, 114, 270, and teaches at col. 12, line 54-67, "The digital matrix switch 250 receives all incoming compressed video signals from the receivers 220, 220' and the compressor units 108, 114. The matrix switch 250 also receives compressed video data from database server 256. Under control of the administrative unit 262, the digital matrix switch 250 outputs the input compressed video signals to digital video servers 252, 252', 252", 252'". In this manner, any input signal can be transferred to any video server as directed by the

admin unit. Also, stored programming from the database server 256 is routed to the digital matrix switch 250 to be switched as if it were incoming live video. The outputs of the digital matrix switch 250 also connect to the database server 256, so that anything at the inputs, such as incoming live audio and video, can be stored in the database server 256.", col. 13, line 15-27, "In a preferred embodiment, the matrix switch 270 may contain a processor which joins different frames of video and audio such that each output contains frames for multiple video pictures (including audio). This enables users to receive split screen images of video and select an audio track for playback (see FIG. 14, discussed below). The split-screen images may be formed by using known methods, which may differ depending on the type of compression used. For example, digital images may be decompressed, combined with other decompressed images, and then re-compressed; or the images may be decompressed and converted to analog, combined, and then converted to digital and compressed for transmission."

Please note that, thus, compression occurs at two different places, first, before storing the discrete units of video signals and, second, before making the signals ready for transmission from "WEB SITE" as desired.

This factuality of Hendricks teaches **"a compression circuit for compressing a plurality of the discrete units into a compressed video signal."**

Arguments regarding claim 2 on page 10 of the Appeal Brief:

Appellant's argument:

"Claim 2 patently defines over Hendricks for at least the reason that Hendricks fails to disclose at least the features emphasized above.

The features emphasized in claim 2 above closely parallel (for all purposes relevant to this appeal) the distinguishing features discussed above in connection with claim 1."

Examiner's response:

Claim 2 limitations, as indicated by the Appellant, are closely parallel (for all purposes relevant to this appeal) the distinguishing features discussed above in connection with claim 1, please refer to the explanations provided on the teachings of Hendricks relevant to claim 1 above.

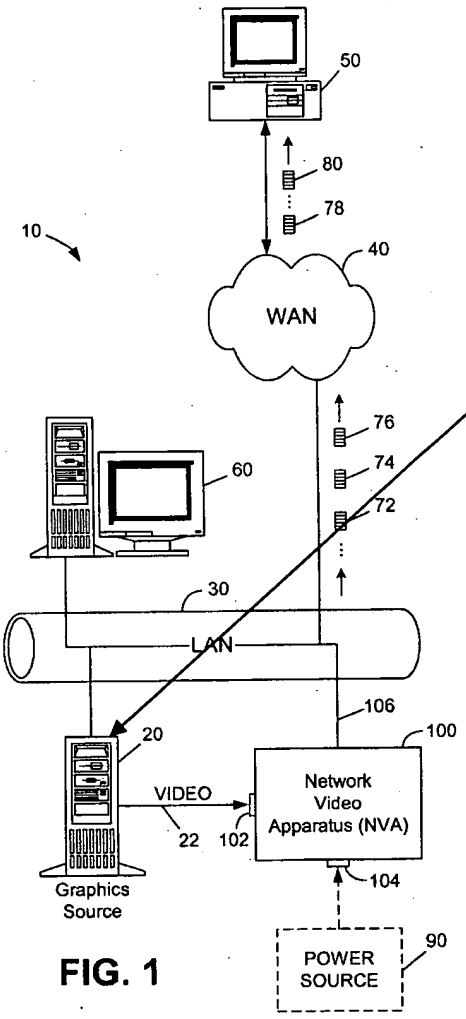
Arguments regarding claims 19-20 on page 11 of the Appeal Brief:

Appellant's argument:

"The Office Action cited the same features of Hendricks to the claimed operation of "receiving a video signal from a graphics card of a source computer," as it did to the "input for receiving ..." element of claim 1. Accordingly, Applicants submit that this element is not taught in Hendricks, for the same reasons discussed above in connection with claim 1. In this regard, there is absolutely no disclosure in Hendricks of receiving a video signal "from a graphics card of a source computer."

Examiner's response:

Appellant identifies this claim 19 limitation in the "SUMMARY OF CLAIMED SUBJECT MATTER" as being the following:



receiving (see e.g. item 172, Fig.3, and p.10, lines 1-15) a video signal from a graphics card of a source computer;

FIG. 1

Here, Appellant has defined the "a graphics card of a source computer" as being the inherent part of the "Graphic Source" of Fig. 1, element 20; Fig. 4, elements 20 and 25; and Fig. 6, element 20. which is "source computer 20" as indicated in the instant Specification, page 5, line 24-25, page 6, line 20 and page 10, lines 1-15.

The claim limitation "a graphics card of a source computer" itself is based on an embodiment shown as an inherent limitation in the above noted Figures of the instant Specification/drawings.

By exactly following the appellant's embodiment methodology, Examiner had defined the "a graphics card of a source computer" as being the inherent part of the "Graphic Source" as follows:

First of all, Hendricks **defines the term "video"** at col. 3, line 41-55, *"In accordance with the present invention, video is collected at a remote site. (The term "video", as used herein, includes stereophonic or monophonic audio* ***signals which may accompany a video signal.*** *Additionally, "video" is used broadly herein to include still images, groups of related still images, animation,* ***graphics,*** *pictures, or other visual data.) The remote video information may be obtained from a video cassette, CD ROMs, television channels, one or more video cameras, or other well known sources.* ***If video cameras are used, they may be connected to a computer so that they are remotely controllable, or they may be oriented such that a perception of control can be created for users.*** *"*

Please note that although claim 19 preamble recites the "graphics", the claim further defines the "graphics", which is "video signals". Therefore, "a graphic card" is "a video card."

Hendricks also teaches at col. 6, line 64-col. 7, line 12, *"FIGS. 3A and 3B add the additional feature of camera control to the previously described embodiments. As shown in FIG. 3A, a computer 134 is connected to remote camera 104. The computer*

is able to control a mechanical or electrical device on the camera 104, to alter the camera's orientation (including position and/or angle). Audio and video from the camera 104 passes to the, computer 134. The video may be processed and stored in the computer. Preferably, as shown in FIG. 3B, the computer is connected to multiple remote cameras 104' and 104" so that multiple users may each control a camera. The computer 134 may either contain a compressor or be connected to an external compression unit 136. The video from cameras 104' and 104" is compressed and provided to data communications network 120. This compressed video is subsequently received by web site 140."

Thus, since Fig. 3B, element 134, "Computer" is a source of "a video signal" and since "Computer 134 is acquiring, processing, storing, compressing and transmitting" the "a video signal" over the network 120 to "an apparatus", "Web Site", element 140 of Fig. 3B incorporated by the "web server 200" of Fig. 9B, the "Computer ", element 134 inherently contains "a graphics card".

Examiner would like to present **the evidentiary prior art**, Chou (US 2004/0049793 A1) with respect to showing the inherency of " a computer" requiring a "graphic card" (video card) .

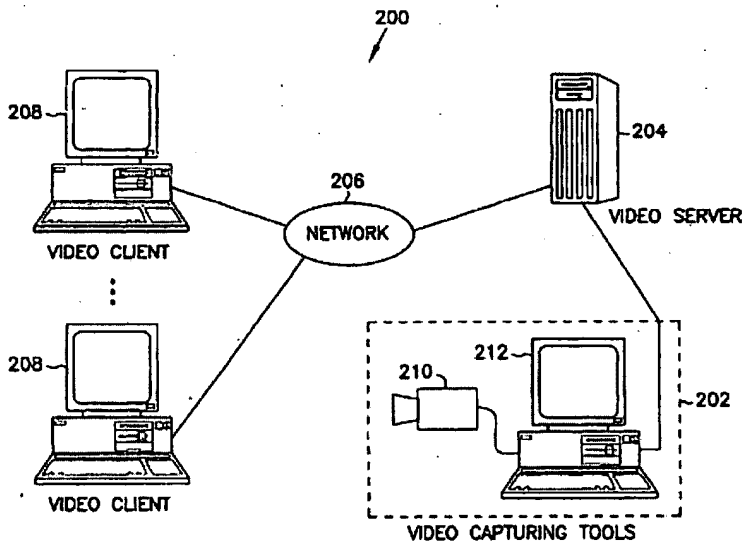


FIG. 2

Chou teaches at para. [0034], "FIG. 2 is a diagram of an example network architecture 200 in which embodiments of the present invention are implemented. The example network architecture 200 comprises video capturing tools 202, a video server 204, a network 206 and one or more video clients 208.

[0035] The video capturing tools 202 comprise any commonly available devices for capturing video and audio data, encoding the data and transferring the encoded data to a computer via a standard interface. The example video capturing tools 202 of FIG. 2 comprise a camera 210 and **a computer 212 having a video capture card, compression software and a mass storage device.** The video capturing tools 202 are coupled to a video server 204 having streaming software and optionally having software tools enabling a user to manage the delivery of the data."

Just as Chou reveals the necessity of the "Video card" for capturing and processing the video from camera, store the video, and transfer video to video server 204, Hendricks' computer 134 is inherently required to have "video card (graphic card)"

for capturing and processing the video from camera, store the video, and transferring the video to "Web Site" 140 incorporated by the server 200.

This inherency is the same inherency that is depicted by the instant Specification/drawings as indicated above, as part of the "graphic source", Fig. 1, element 20; Fig. 4, elements 20 and 25; and Fig. 6, element 20.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

(**Note:** the Examiner has made an earnest effort to properly address each and every Appellant's arguments of the appeal brief. In any event or reason if more explanation is needed, the Examiner will gladly provide as necessary).

Respectfully submitted,

Ashok B. Patel

Examiner

Art Unit 2154

January 23, 2008

Conferees:

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